



Minneapolis 2011 Phase I Permit

Contents

- 1 Description
- 2 Part I. Permit Goals
- 3 Part II Coverage Under this Permit
 - 3.1 A. Authorization
 - 3.2 B. Limitations on Coverage
 - 3.3 C. Obtaining Authorization
- 4 Part III. Permit Application Requirements
 - 4.1 A. Application for Permit Reissuance
 - 4.2 B. Signature
 - 4.3 C. Stormwater Management Program
 - 4.4 D. Anti-degradation
 - 4.5 E. Where to Submit
 - 4.6 F. Application Record Retention
- 5 Part IV. Rights and Responsibilities
 - 5.1 A. Permit Modifications to Protect Water Quality
 - 5.2 B. Storm Sewer System Management
 - 5.3 C. Watershed-Based Permit
 - 5.4 D. Joint Permittees

Description

The Municipal Separate Storm Sewer System (MS4) consists of storm sewer system and treatment works for the collection, conveyance, treatment, storage, and discharge of stormwater owned or operated by the city of Minneapolis or the Minneapolis Park and Recreation Board. The discharge consists of stormwater at a rate dependent upon precipitation and snow melt. All sanitary wastes in the affected area are conveyed by the municipal sanitary sewer or combined sewer system and their discharge is not authorized by this permit.

Part I. Permit Goals

The primary goal of this permit is to restore and maintain the chemical, physical, and biological integrity of waters of the state through management and treatment of urban stormwater runoff. This is accomplished by management



Minnesota Pollution Control Agency

AUTHORIZATION TO DISCHARGE STORMWATER UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM/STATE DISPOSAL SYSTEM PERMIT PROGRAM

PERMITTEE: City of Minneapolis and the Minneapolis Park and Recreation Board, hereinafter the "Permittee"

RECEIVING WATERS: Water bodies within and adjacent to the City of Minneapolis

CITY OR TOWNSHIP: City of Minneapolis

COUNTY: Hennepin

ISSUANCE DATE: January 21, 2011

EFFECTIVE DATE: January 21, 2011

EXPIRATION DATE: January 21, 2016

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. § 1251, et seq.; hereinafter, the "Act"), 40 CFR parts 122, 123, and 124, as amended; Minnesota Statutes chapters 115 and 116, as amended; and Minnesota Rules chapter 7001.

This permit establishes conditions for discharging stormwater and for specific other related discharges to waters of the state.

This permit is a reissuance of an existing permit that was issued on December 1, 2000. This reissued permit is effective on the issuance date identified above and supersedes the previous permit.

This permit and the authorization to discharge shall expire approximately five years from the date of final issuance. The Permittee is not authorized to discharge after the above date of expiration. In order to receive authorization to discharge beyond the above date of expiration, the Permittee shall submit such information and forms as required to the Minnesota Pollution Control Agency (MPCA) no later than 180 days prior to the above date of expiration pursuant to Minn. R. 7001.0040.

Signature:

A handwritten signature in blue ink, appearing to read "Dale B. Thompson".

Dale Thompson, Supervisor
Municipal Stormwater Unit
Stormwater Section
Municipal Division

For The Minnesota Pollution Control Agency

If you have questions on this permit, including the specific permit requirements, permit reporting or permit compliance status, please contact.

Minnesota Pollution Control Agency
MS4 Stormwater Program
520 Lafayette Road North
St. Paul, MN 55155-4194
Telephone 651-757-2119 or 1-800-657-3804

Image of the Description for the Minneapolis Phase I 2011 permit

of the Municipal Separate Storm Sewer System through a Stormwater Management Program. The purpose is to maintain water quality where there is compliance, and help restore waters where there is noncompliance. It should

be noted that when there is a discharge to waters with respect to which there are limitations on coverage (see Part II.B), there may be more stringent requirements to which the Permittee is subject that may require a separate National Pollutant Discharge Elimination System (NPDES) permit for those discharges.

Part II Coverage Under this Permit

A. Authorization

This permit, including appendices, authorizes discharges of stormwater from a Large Municipal Separate Storm Sewer System as defined in 40 CFR § 122.26(b)(4) and described in the Permittee's Stormwater Management Program in accordance with the requirements of this permit. This permit does not exempt or otherwise preclude the Permittee from complying with the requirements of Watershed Districts, Watershed Management Organizations, the County, or any other local, state, or federal rules and regulations.

B. Limitations on Coverage

1. This permit does not authorize discharges other than stormwater. Non-stormwater discharges may include: combined sewer overflow, noncontact cooling water, sewage, wash water, scrubber water, spills, oil, hazardous substances, fill, commercial equipment and/or vehicle cleaning and maintenance wastewaters. A separate NPDES permit may be required for these discharges.
2. This permit does not authorize the discharge of stormwater when a separate NPDES permit is required for these activities. For example, while stormwater from construction activity may be discharged from a municipal separate storm sewer system with authorized stormwater discharges, this permit does not replace or satisfy any other permits required for those discharges.
3. This permit authorizes only discharges by the Permittee from the portions of the storm sewer system that are under its operational control.
4. This permit does not allow new or expanded discharges unless the Permittee is in compliance with the requirements of Minn. R. ch. 7050.
5. This permit does not authorize the following discharges unless the requirements of Appendix C are met:
 - a. Discharges into wetlands as defined in Minn. R. 7050.0186.
 - b. Discharges requiring environmental review as provided by Minn. Stat. ch. 116D and 42 U.S.C. §§ 4321 – 4370f.
 - c. Discharges affecting threatened or endangered species or their habitat.
 - d. Discharges affecting historic or archeological sites.
 - e. Discharges affecting source water protection areas as provided by (Minn. R.4720.5100 – 4720.5590).
6. This permit does not authorize stormwater discharges from any municipal facility where stormwater discharge is authorized under another individual NPDES/SDS permit or other industry-specific general NPDES/SDS permit.

C. Obtaining Authorization

1. The Permittee shall submit, within 180 days of the permit issuance date, a revised Stormwater Management Program, including a revised stormwater monitoring and analysis program as required under Part V.C.7 that meets the requirements of this permit.

2. In accordance with the procedures of this permit and the requirements of Minn. R. ch. 7001, the MPCA shall provide public notice with the opportunity for hearing on the Commissioner's determination of intent to approve or deny the revised Stormwater Management Program. The MPCA will provide public and MPCA comments to the Permittee. The Permittee will have the opportunity to respond to the comments prior to the MPCA making a final determination.
3. The Commissioner will make a final determination on the revised Stormwater Management Program in accordance with Minn. R. ch. 7001.
4. Upon approval by the Commissioner, the Permittee is authorized to discharge stormwater from the Permittee's municipal separate storm sewer system under the terms and conditions of this permit and the revised Stormwater Management Program.

Part III. Permit Application Requirements

A. Application for Permit Reissuance

1. The Permittee shall submit an application for reissuance at least 180 days before permit expiration. (Minn. R. 7001.0040, subp.3)
2. If the Permittee has submitted a timely application for permit reissuance, the Permittee may continue to conduct the activities authorized by this permit, in compliance with the requirements of this permit, until the MPCA takes final action on the application, unless the MPCA determines one of the following:
 - a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit.
 - b. The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the expiration date of the permit.
 - c. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. (Minn. R. 7001.0160)
3. If the Permittee does not intend to continue activities authorized by this permit after the expiration date of this permit, the Permittee shall notify the MPCA at least 180 days before the permit expiration.

B. Signature

The Application shall be signed in accordance with application forms provided by the Commissioner and shall include the following information:

1. The street address, county, and the owner or person with operational control of the municipal separate storm sewer system for which the application is submitted; and
2. The name, address, and telephone number of the person responsible for overall permit compliance.

C. Stormwater Management Program

The Permittee shall submit with an application for reissuance, a revised Stormwater Management Program including:

1. The Best Management Practices (BMPs) that the Permittee will implement for each of the stormwater Minimum Control Measures at Part V.C of this permit;

2. Specific measurable goals for each of the Minimum Control Measures, including, as appropriate, the months and years in which the Permittee will undertake required actions, including interim milestones and the frequency of the action, in narrative or numeric form, as appropriate;
3. The identity of the person(s) responsible for implementing and/or coordinating each component of the Stormwater Management Program. This should be the person the MPCA contacts for the particular component; it may be the overall coordinator or other individual; and
4. A revised monitoring and analysis program to meet requirements of Part V.C.7 of this permit.

D. Anti-degradation

The Permittee shall submit with an application for reissuance, data and information requested by the Commissioner for an anti-degradation assessment of impacts from stormwater runoff in accordance with Minnesota Rules.

E. Where to Submit

Applications signed in accordance with Part III.B of this permit are to be submitted to the Commissioner at the following address:

MS4 Stormwater Program
MPCA
520 Lafayette Road North
St. Paul, MN 55155-4194

F. Application Record Retention

The applicant shall retain copies of the permit application, all data and information used by the applicant to complete the application, and any additional information requested by the Commissioner during the review of the application, for a period of at least three years beyond the date of permit expiration. This period is automatically extended during the course of an unresolved enforcement action regarding the municipal separate storm sewer system or as requested by the Commissioner.

Part IV. Rights and Responsibilities

A. Permit Modifications to Protect Water Quality

The Commissioner may modify this permit or issue other permits, in accordance with Minn. R. 7001, to include more stringent effluent limitations, or permit requirements that modify, or are in addition to, the Minimum Control Measures in Part V.C of this permit, or both. These modifications may be based on the Commissioner's determination that such limitations are needed to protect water quality.

B. Storm Sewer System Management

The management of the municipal separate storm sewer system shall be in compliance with the Clean Water Act and with the terms and conditions of this permit. The Permittee shall manage, operate, and maintain the storm sewer system and areas drained by the storm sewer system within the Permittee's jurisdiction in a manner to reduce the discharge of pollutants to the Maximum Extent Practicable (MEP). The management may consist of a combination of BMPs, education, other control techniques, system design and engineering methods, and such other provisions as the Permittee and/or Commissioner determine to be appropriate.

C. Watershed-Based Permit

Watershed-based NPDES permitting is a process that emphasizes addressing all stressors within a hydrologically-defined drainage basin, rather than addressing individual pollutant sources within an area defined by a jurisdictional boundary on a discharge-by-discharge basis. The MPCA and the Permittee agree that watershed-based permitting is potentially a more effective means of regulating water quality-impacting activities. In the context of this permit, more effective regulation means improved water quality and less duplication and conflict in water quality regulation. Based on this agreement, the Permittee may submit, and the MPCA will consider, an application to amend this permit prior to the expiration of this permit.

D. Joint Permittees

1. The following entities are Joint Permittees under this permit. The titles "Joint Permittee" and "Permittee" shall be considered to be same and both refer to these entities and are used interchangeably:

- a. City of Minneapolis by and through its City Council
- b. City of Minneapolis by and through its Minneapolis Park and Recreation Board

2. Each Joint Permittee is individually liable for:

- a. permit compliance for the discharges from portions of the storm sewer system of which it is the owner and/or operator; and
- b. storm water management for discharges from portions of the storm sewer system of which it is the owner and/or operator.

3. The Joint Permittees are jointly and severally liable for:

- a. compliance with Annual Reporting requirements;
- b. ensuring funding for representative monitoring according to established agreements
- c. ensuring implementation of any system-wide management program elements;
- d. compliance on portions of the storm sewer system where operation, maintenance, or other authority has been transferred from one Joint Permittee to another in accordance with legally binding interagency agreements; and
- e. compliance on portions of the storm sewer system where the Joint Permittees jointly own or operate the system.

4. The Joint Permittees shall enter into an agreement to define their individual responsibilities for meeting the requirements and conditions of this permit (Agreement). As part of the Agreement, the Joint Permittees shall define their individual responsibilities to assure that the operation, maintenance, monitoring, and management of this permit are completed. The Agreement shall include, but not be limited to the following items:

- a. a designation of an Authorized Representative to serve as the coordinator of the Joint Permittees;
- b. a delineation of responsibilities to assure all parts of the Storm Water Management Program are implemented and managed according to the conditions of this permit; and
- c. a delineation of responsibilities for submittal of the Annual Report.

Alternatively, the Joint Permittees can define their individual responsibilities for meeting the requirements and conditions of this permit in the Stormwater Management Program.

5. A copy of the Agreement shall be submitted to the Commissioner within one hundred-eighty (180) days of the date of issuance of this permit. Any changes to the Agreement shall be submitted to the Commissioner within thirty (30) days of the final execution of the changes.

- [[Minneapolis 2011 Phase I Permit PART V. STORMWATER MANAGEMENT PROGRAM|PART V. STORMWATER MANAGEMENT PROGRAM}}]

- [[Minneapolis 2011 Phase I Permit PART VI. STORMWATER MANAGEMENT PROGRAM ASSESSMENT, REPORTING AND OTHER SUBMITTALS|PART VI. STORMWATER MANAGEMENT PROGRAM ASSESSMENT, REPORTING AND OTHER SUBMITTALS}}

- A. The Agency's issuance of a permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit.
- B. The Agency's issuance of a permit does not prevent the future adoption by the Agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee.
- C. The permit does not convey a property right or an exclusive privilege.
- D. The Agency's issuance of a permit does not obligate the Agency to enforce local laws, rules, or plans beyond those authorized by Minnesota statutes.
- E. The Permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the Agency and in compliance with the conditions of the permit.
- F. The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible.
- G. The Permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the Agency or to the Commissioner by the permit. The Permittee shall immediately upon discovery report to the Commissioner an error or omission in these records, reports, plans, or other documents.
- H. The Permittee shall, when requested by the Commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit.
- I. When authorized by Minn. Stat. §§ 115.04, 115B.17, subd. 4, and 116.091, and upon presentation of proper credentials, the Agency, or an authorized employee or agent of the Agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit.
- J. If the Permittee discovers, through any means, including notification by the Agency, that noncompliance with a condition of the permit has occurred, the Permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance.
- K. If the Permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the Commissioner. Within five days of the discovery of the

noncompliance, the Permittee shall submit to the Commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

L. The Permittee shall report noncompliance with the permit not reported under item K as a part of the next report which the Permittee is required to submit under this permit. If no reports are required within 30 days of the discovery of the noncompliance, the Permittee shall submit the information listed in item K within 30 days of the discovery of the noncompliance.

M. The Permittee shall give advance notice to the Commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the permit.

N. The permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit.

O. The permit authorizes the Permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and Agency assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and Agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. § 3.736.

P. This permit incorporates by reference the applicable portions of 40 CFR §§ 122.41 and 122.42(c) and (d), and Minn. R. 7001.1090, which are enforceable parts of this permit.

Q. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

A. “Agency” or “Agency members” means the Commissioner and the eight persons appointed to the Minnesota Pollution Control Agency, pursuant to Minn. Stat. § 116.02, subd. 1.

B. “Best Management Practices” or “BMP” means:

1. schedules of activities;
2. prohibitions of practices;
3. maintenance procedures; and
4. other management practices to prevent or reduce the pollution of waters of the state.

BMPs also include:

5. treatment requirements;
6. operating procedures, and
7. practices to control:

- a. plant site runoff;
- b. spillage or leaks,
- c. sludge or waste disposal, or
- d. drainage from raw material storage.

C. “Commissioner” means the Commissioner of the Minnesota Pollution Control Agency or the Commissioner's designee.

D. “Common plan of development or sale” means a contiguous area where multiple separate and distinct construction activities are planned to occur at different times on different schedules under one plan, e.g., a housing development of five one-quarter-acre lots (40 CFR § 122.26(b)(15)(i)).

E. “Discharge” means “Discharge of a pollutant” as defined in Minn. R. 7001.1020, subp 12.

F. “EPA” or “USEPA” means the U.S. Environmental Protection Agency.

G. “Expanded discharge” means a discharge that changes in volume, quality, location, or any other manner after January 1, 1988 or the effective date an outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470, such that an increased loading of one or more pollutants results. In determining whether an increased loading of one or more pollutants would result from the proposed change in the discharge, the Agency shall compare the loading that would result from the proposed discharge with the loading allowed by the Agency as of January 1, 1988, or the effective date of outstanding resource value water designation. This definition does not apply to the discharge of bioaccumulative chemicals of concern, as defined in Minn. R. 7052.0010, subp. 4, to outstanding resource value waters in the Lake Superior Basin. For purposes of Minn. R. 7050.0180, an expanded discharge of a bioaccumulative chemical of concern to an outstanding resource value water in the Lake Superior Basin is defined in Minn. R. 7052.0010, subp. 18.

H. “Long-term goals” means those goals established in the Permittee’s Stormwater Management Program to be accomplished by the municipal separate storm sewer system. These goals may have various time frame and durations including durations greater than one NPDES permit cycle. For example, Long-term goals may include, but are not limited to, compliance with all TMDLs by January 1, 2025, fifty percent reduction of the annual frequency of street flooding by January 1, 2015; and/or reduction of impervious cover by two percent within two years of the effective date of the Stormwater Management Program.

I. “Maximum Extent Practicable” or “MEP” is the statutory standard (33 U.S.C. § 1342(p)(3)(B)(iii)) that establishes the level of pollutant reductions that an Owner or Operator of regulated municipal separate storm sewer system must achieve. The USEPA has intentionally not provided a precise definition of MEP to allow maximum flexibility in municipal separate storm sewer system permitting. The pollutant reductions that represent MEP may be different for each municipal separate storm sewer system, given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies. Therefore, the Permittee will determine appropriate BMPs to satisfy each of the Minimum Control Measures through an evaluative process. The USEPA envisions application of the MEP standard as an iterative process.

J. “MPCA” means the Minnesota Pollution Control Agency.

K. “MS4” means a municipal separate storm sewer system.

L. “Municipal separate storm sewer system” means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains) that is:

1. owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management Agency under section 208 of the CWA ((33 U.S.C. § 1288) that discharges to waters of the United States;
2. designed or used for collecting or conveying stormwater;

3. not a combined sewer; and
4. not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR § 122.2.

M. “New discharge” means, for all waters that are not outstanding resource value waters, a discharge that was not in existence before January 1, 1988. For outstanding resource value waters new discharge means a discharge that was not in existence on the effective date the outstanding resource value water was designated as described in Minn. R. 7050.0460 and 7050.0470.

N. “Newspaper” means a publication containing news of general interest (in the vicinity of the municipal separate storm sewer system). Newspaper can include other publications if the distribution includes the general population of potentially interested parties.

O. “Other regulatory mechanism” means any legally enforceable document, such as a contract or other agreement that has penalties such as withholding payments, fines, or other measures to prevent noncompliance.

P. “Operator” means the person with primary operational control and legal responsibility for the municipal separate storm sewer system.

Q. “Outfall” means the point where a municipal separate storm sewer system discharges from a pipe, ditch, or other discrete conveyance to waters of the state, or other municipal separate storm sewer system. It does not include diffuse runoff or conveyances which connect segments of the same stream or other water systems.

R. “Owner” means the person that owns the municipal separate storm sewer system.

S. “Person” means the state or any agency or institution thereof, any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity, including, but not limited to, association, commission, or any interstate body, and includes any officer or governing or managing body of any municipality, governmental subdivision, or public or private corporation, or other entity.

T. “Physical alteration” means the dredging, filling, draining, or permanent inundating of a wetland. Restoring a degraded wetland by reestablishing its hydrology is not a physical alteration.

U. “Reduce” means reduce to the “Maximum Extent Practicable” unless otherwise defined in the context in which it is used.

V. “Stormwater” means stormwater runoff, snowmelt runoff, surface runoff, and drainage.

W. “Stormwater hotspot” means any land use or activity that may generate a higher concentration of hydrocarbons, trace metals, or toxic pollutants than are found in typical stormwater runoff.

X. “Structural Pollution Control Device” for purposes of this permit means any stationary, permanent, facility or apparatus that is intended to manage and/or treat stormwater runoff.

Y. “Total Maximum Daily Load” or “TMDL” is the process established by the USEPA for the allocation of pollutant loads, including stormwater, to a particular water body or reach of a water body.

Z. “Waters of the state” means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.

AA. “Wetlands” are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands shall have the following attributes:

1. a predominance of hydric soils;
2. inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and
3. under normal circumstances, support a prevalence of such vegetation.

This part describes more stringent requirements for discharges that meet the specified criteria. Whenever two or more requirements, restrictions, or prohibitions apply, the requirements for both or all shall be met. Whenever two or more requirements, restrictions, or prohibitions conflict; the more restrictive conditions are applicable.

Contents of Appendix C:

A. Discharges to Wetlands (Minn. R. 7050.0130(F)).

B. Discharges Requiring Environmental Review.

C. Discharges Affecting Threatened or Endangered Species or their habitat.

D. Discharges Affecting Historic or Archeological sites.

E. Discharges Affecting Source Water Protection Areas.

A. Discharges to Wetlands (Minn. R. 7050.0130(F); also Minn. R. 7050.0186). This permit does not authorize physical alterations to wetlands, or other discharge adversely affecting wetlands, if the alteration will have a significant adverse impact to the designated uses of a wetland. Any physical alterations to wetlands that will cause a potential for a significant adverse impact to a designated use must be implemented in accordance with the avoidance, minimization and mitigation requirements of Minn. R. 7050.0186 and other applicable rules.

B. Discharges Requiring Environmental Review (Minn. Stat. ch. 116D, and 42 U.S.C. §§ 4321 – 4370(f)). This permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. ch. 116D), the National Environmental Policy Act (42 U.S.C. §§ 4321 – 4370(f)), and rules implementing those laws. Any environmental review required by law, including preparation of environmental review documents such as environmental assessment worksheets, environmental impact statements, or environmental assessments, must be completed in accordance with those requirements.

C. Discharges Affecting Threatened or Endangered Species. This permit does not replace or satisfy any review requirements for Threatened or Endangered Species, from discharges whose direct, indirect, interrelated, interconnected, or independent impacts would jeopardize a listed Threatened or Endangered Species or adversely modify a designated critical habitat. For any project resulting in a discharge having the potential to adversely impact Threatened or Endangered species, or their critical habitat, The Permittee shall conduct the required review and coordination with appropriate agencies in accordance with those requirements.

D. Discharges Affecting Historic or Archeological Sites. This permit does not replace or satisfy any review requirements for Historic or Archeological Sites from discharges which affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. For any project resulting in a discharge having the potential to adversely impact Historic or Archeological Sites, including

significant anthropological sites and any burial sites, the Permittee must conduct the required review and coordination with the Minnesota State Historic Preservation Officer or other appropriate federal, state and local agencies in accordance with those requirements.

E. Discharges Affecting Source Water Protection Areas (Minn. R. 4720.5100 – 4720.5590). The Permittee shall incorporate BMPs into the Permittee's Stormwater Management Program to protect any of the following drinking water sources that the municipal separate storm sewer system discharge may affect, and the Permittee shall include the map of these sources with the Stormwater Management Program if they have been mapped:

1. wells and source waters for drinking water supply management areas identified as vulnerable under Minn. R. 4720.5205, 4720.5210, and 4720.5330; and
2. source water protection areas for surface intakes identified in the source water assessments conducted by or for the Minnesota Department of Health under the federal Safe Drinking Water Act (42 U.S.C. § 300j-13).

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